

REMARKS

This response is submitted in reply to the outstanding Office Action mailed August 7, 2008. Claims 1, 3, 4 and 6-18 currently stand rejected. Applicants respectfully traverse the rejections.

In light of the remarks presented below, applicants respectfully request reconsideration and allowance of all now-pending claims namely claims 1, 3, 4 and 6-18.

Reply to Rejections of Independent Claims 1, 9 and 18

Independent claims 1, 9 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Zhang et al. U.S. Patent No. 6,253,327 ("Zhang") in view of Bartoli et al. U.S. Patent No. 6,047,268 ("Bartoli") and further in view of Schneider et al. U.S. Patent No. 6,408,336, ("Schneider"). Claims 1, 9 and 18 recite, *inter alia*, determining if the user is entitled to access the destination network based upon both the user profile and the indication of the location comprising a port, circuit ID, VLAN ID or MAC address from which the request was received.

Zhang is directed to a single step network logon. The Office Action cites Zhang (at col. 7, lines 12-17) for allegedly disclosing determining if the user is entitled to access the destination network based upon the user profile.

Bartoli is directed to "[a] billing methodology that minimizes the steps that need to be performed to obtain authorization and approval for an Internet transaction" Bartoli, col. 2, lines 19-21. The specific steps that Bartoli seeks to eliminate are those associated with transmitting and cross-referencing IP addresses. See Bartoli, col. 2, lines 1-19.

The Examiner admits that Zhang and Bartoli both fail to teach or suggest determining if the user is entitled to access the destination network based upon an indication of the location comprising a port, circuit ID, VLAN ID or MAC address from which the request was received, as recited in independent claims 1, 9 and 18. See the Office Action, pages 5-6.

The Examiner relies on Schneider, at col. 3, lines 3-60, to fill the void left by Zhang and Bartoli. Schneider allegedly suggests "an indication of the location comprising VLAN ID, in the

form of an IP address, and a port number” and that the “IP address or processor ID is used to determine whether the user has access to resources[.]” The Office Action, page 6.

But Bartoli teaches away from its combination with Schneider and at least applicants’ claimed feature of “determining if the user is entitled to access the destination network based upon both the user profile and the indication of the location comprising a port, circuit ID, VLAN ID or MAC address from which the request was received.” Accordingly, an impermissible combination of documents is used to reject independent claims 1, 9 and 18.

The “prior art must be considered in its entirety, including disclosure that teaches away from the [applicants’] claims.” MPEP § 2145.X.D (citing MPEP §§ 2141.02 and 2143.01). The Examiner’s “proposed modification cannot render the prior art unsatisfactory for its intended purpose or change the principle of operation of a reference.” Id.

Bartoli explicitly seeks to eliminate any step associated with transmitting and cross-referencing IP addresses. See Bartoli, col. 2, lines 1-21. Despite this, the Examiner combines Bartoli with Schneider to allegedly show “an indication of the location comprising VLAN ID, in the form of an IP address, and a port number” and using “IP address or processor ID . . . to determine whether the user has access to resources[.]” The Office Action, page 6.

Combining Bartoli in such a manner renders Bartoli unsatisfactory for its intended purpose and would change Bartoli’s principle of operation – i.e., eliminating the transmission and cross-referencing of IP addresses. See Bartoli, col. 2, lines 1-24.

For at least this reason, applicants’ independent claims 1, 9 and 18 are patentable over the Bartoli-Schneider-Zhang combination.

Reply to Rejections of Dependent Claims 3, 4 and 6-8 and 10-17

For at least the foregoing reasons, independent claims 1, 9 and 18 are patentable and, since claims 3, 4 and 6-8 and 10-17 depend from and necessarily include all of the recitations of one of independent claims 1 and 9, the cited documents, whether taken alone or in combination, do not teach or suggest the system and methods of claims 3, 4 and 6-8 and 10-17 for at least the same reasons as described above in conjunction with the respective independent claims. (“If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is

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nonobvious.” In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); MPEP § 2143.) Accordingly, it is therefore submitted that the 35 U.S.C. § 103(a) rejections of claims 3, 4 and 6-8 and 10-17 have been overcome.

Conclusion

In view of the remarks presented above, applicants submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact applicants’ undersigned attorney in order to resolve any remaining issues.

It is believed that no additional petitions or fees are required, other than those provided in the Request for Continued Examination and other related papers being filed herewith. The papers accompanying this Reply authorize the payment of the necessary fees. However, in the event that additional extensions of time and/or other fees are necessary to allow consideration of this Reply, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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